

GET READY TO ADJOURN

Both Houses Are Preparing
to Leave.

TO THE CITIES AND TOWNS

House Passes Important Bill Affecting
Their Government, and Also that to
Allow Governor to Designate
Judges in Case of Removal

Both of the houses of the General Assembly held a session yesterday and disposed of a large amount of work. The House, under a suspension of rules, passed the bill offered by Mr. Allen, of the House, to authorize the Governor to designate judges to hold court where the incumbent is removed, and the Courts of Justice Committee reported that they had completed their general work, and instead of printing the report, it was referred to the Revision Committee.

The House passed a number of local bills, among them being one to provide for keeping in repair the public roads of Appomattox county.

The bill of interest passed by the House was that relating to the public free school system, and another was in relation to the election of county, district, and city officers. The bill conforming to the Constitution to hold court where the incumbent is removed, and the Courts of Justice Committee reported that they had completed their general work, and instead of printing the report, it was referred to the Revision Committee.

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ing, which was ordered spread upon the
Journal:

To the Senate and the House of Dele-

gates:

The work of the two Committees for

Courts of Justice has been completed,

and it is gratifying to be able to make

this report:

About three-fourths of the Code of

Virginia has been under our considera-

tion, together with those portions of the

Constitution bearing upon the subjects

mentioned. Respectfully,

We have prepared bills amending such

sections of the Code as require amend-

ment and repealing such sections as have

become useless. These bills, together

with the reports of all the subcommit-

tees, are in shape for immediate action,

but as there is no necessity for haste in

these matters, your committees advise

that both the bills and the reports be

referred to the Special Joint Committee

on Revision, in order that their work in

this regard may be reviewed and reported

to the General Assembly when it recon-

venes after the recess.

Respectfully,

WM. B. MILLWAINE,

Chairman Senate Committee.

WM. R. DUKER,

Chairman House Committee.

May 13, 1908.

At 11:30 o'clock Mr. Clayton called up

the bill, which the Senate bill pre-

scribing the liability of common carriers

for freight shipped over its own and com-

mon carriers.

The bill was laid before the Senate and

Mr. Clayton opened the argument for

the bill in an hour's speech, which Mr.

Wickham, who opposed the bill, charac-

terized as a masterly effort, logical, force-

ful and well adapted to the subject. He

defined first the purposes of the bill and

the hardships on shippers it was design-

ed to correct. Under the present laws

the shipper has no redress for loss or

delay in the transportation of his freight

by transportation companies, when such

loss or delay occurs after delivery of

same to a connecting line for transpor-

tation. The committee had reported that

it was doubtful of the constitutionality

of the measure. The patron of the bill

argued that the constitutionality of the

act making the point that the

courts had decided both ways on questions

involving the responsibility of the car-

rying company in cases of loss or de-

lay. It was no unusual thing for the

courts after rendering a decision in cases

where both sides to a contention are not

represented or where one side does not

adequately present its case to decide a law

unconstitutional and then after hearing

the case fully argued to reverse itself.

He quoted from a recent decision of the

supreme court of the United States to

show that it was held that acts of the

character of the bill under discussion

were constitutional and that the States

of Michigan, New York, Ohio, Missouri

and Iowa have laws similar to the one

proposed, and their constitutionality has

been upheld by the courts. In closing Mr.

Clayton urged the Senate to pass the bill

and let the courts pass upon it. If they

held that the act is constitutional ship-

pers would secure the relief they desired.

If not, no harm would have been done.

When Mr. Wickham arose to reply to

the argument of Mr. Clayton he had upon

his desk seven or eight large volumes of

legal reports of decisions of courts on

cases of this class or kindred classes.

He argued first to show that the bill

would be an injustice upon the railway

companies that would be required of an

individual, and that as between man

and man no one would ask such a re-

striction or discrimination. The rail-

roads would now ship goods at an in-

creased rate and would then be responsible

for loss or delay in delivery, but that

rate was higher than the rate for trans-

portation of goods received for trans-

mission at the risk of the shipper. He

contended that to require that railway

companies be responsible for goods

shipped over connecting lines would be

to give the shipper insurance for arch-

it would do nothing whatever. Mr. Wick-

ham had just begun to argue the question

of the constitutionality of the bill under

discussion, when at 1:50 o'clock the Sen-

ate adjourned until 4 P. M.

These bills on the calendar were taken

up out of their order and passed:

House bill to prescribe a method of

voting by ballot.

House bill to amend the charter of the

town of Hampton.

House bill to amend section 91 of the

general tax bill, so as to exempt keepers

of boarding-houses from license tax.

Mr. Wickham, of Hanover, discussed

the bill at some length, quoting many

times the provisions of the bill to

sustain his contention that the bill if

passed would be declared unconstitutional.

al. He made an elaborate argument

against the bill.

THE BILL PASSED.

Mr. Clayton closed the debate for the

bill in a fifteen minute speech, in which

he combated the contentions of the Han-

over Senator Wickham, who opposed the

constitutionality of the proposed act. The

bill was put upon its passage and was

passed by a vote of 24 to 12. It will be

transmitted to the House this morning.

Mr. Lytle, of Roanoke, then called up

Senate bill in relation to an Appropria-

tion to the Virginia Polytechnic Insti-

tute. The bill was so amended as to

strike out the proposition to appropriate

\$125,000 for the enlargement of the school,

and to increase the annual appropriation

from \$25,000 to \$40,000. The amend-

ment was agreed to and the bill was

passed, practically without opposition.

Mr. Lytle briefly stated the needs of the

school and made an effective plea for the

amended bill.

The rest of the session of the Senate,

which continued nearly to 5 P. M.,

was a dreary succession of roll calls,

there being no debate nor opposition to

any of the other bills passed. Seven bills

relating to the public schools and edu-

cational institutions of the State, which

had passed the House and been reported

with amendments by the committee,

were taken up and passed as rapidly as

the necessary roll calls could be com-

pleted. They are as follows:

SENATE BILL PASSED.